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10 Attorneys for **ARRELLANO-GARCIA**

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 UNITED STATES OF AMERICA,

14 2:12-cr-315-JCM-VCF

15 Plaintiff,

16 vs.
17 **MOTION TO CONDUCT A PRE-PLEA**
INVESTIGATION REPORT AND
PROPOSED ORDER

18 MELESIO ARRELLANO-GARCIA,

19 (First Request)

20 Defendant.

21 COMES NOW, appointed counsel, Raquel Lazo, Assistant Federal Public Defender, hereby
22 moves this Court to request a Pre-Plea Pre-Sentence Investigation Report be prepared by the
23 Probation department.

24 1. There is some uncertainty regarding Mr. Arrellano-Garcia's Criminal History Category.
25 The disposition of many convictions remains unclear. Undersigned counsel has requested documents
26 pertaining to these prior convictions but no responses have been received. This has made it difficult
27 to narrow down the Criminal History Category.

28 2. Mr. Arrellano-Garcia is requesting a pre-plea presentence report in order to have a
29 better idea of his Criminal History Category score. He believes that this will help him decide as to
30 whether he will proceed with a plea agreement or without the benefit of an agreement.

31 3. Defense counsel recognizes that the Department of Probation is extremely busy.
32 Therefore, should this court grant Mr. Arrellano-Garcia's request, he is willing to provide them with
33 as much time as necessary to complete the presentence report. Indeed, a stipulation to continue the
34 trial in this matter for another ninety (90) days is being filed contemporaneously with this motion.

1 DATED this 13th day of December, 2012.

2 RENE L. VALLADARES
3 Federal Public Defender

4 */s/ Raquel Lazo*
5 By: RAQUEL LAZO
6 Assistant Federal Public Defender

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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

2:12-cr-315-JCM-VCF

4 Plaintiff,

ORDER

5 vs.

6 MELESIO ARRELLANO-GARCIA,

7 Defendant.

9 No opposition having been filed and good cause appearing,

10 IT IS HEREBY ORDERED that the Probation Department will prepare a Pre-Plea

11 Investigation Report on Defendant MELESIO ARRELLANO-GARCIA.

12 DATED 7th day of January, 2013.



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14 CAM FERENBACH
15 UNITED STATES MAGISTRATE JUDGE
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Law Offices of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on December 13, 2012, she served an electronic copy of the above and foregoing

MOTION TO CONDUCT A PRE-PLEA INVESTIGATION REPORT AND PROPOSED ORDER by electronic service (ECF) to the person named below:

DANIEL BOGDEN
United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, Nevada 89101
ROBERT BORK
Assistant United States Attorney
333 Las Vegas Blvd. So. 5th Floor
Las Vegas, NV 89101

/s/ Maribel Bran

Employee of the Federal Public Defender